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July 23, 2020

VIA ECF AND ELECTRONIC MAIL

The Honorable Katherine Polk Failla
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007


Re: *Petróleos de Venezuela, et al. v. MUFG Union Bank, N.A., et. al.*, Case No. 1:19-cv-10023-KPF
(S.D.N.Y.)

Dear Judge Failla:

On July 22, 2020, after the filing of the parties' summary judgment reply papers, the Delaware Supreme Court affirmed the Delaware Chancery Court's opinion in *Jimenez v. Palacios*, 2019 WL 3526479 (Del. Ch. Aug. 2, 2019), *as revised* (Aug. 12, 2019) (deferring under the act of state doctrine to actions by the Venezuelan National Assembly and Interim President Guaidó), which is directly relevant to Plaintiffs' act of state arguments and on which the United States Government relied in its Statement of Interest in *Crystallex International Corp. v. Venezuela*, Case No. 17-mc-00151-LPS (D. Del.) (ECF No. 212).

The Delaware Supreme Court's order is attached for the Court's convenience.

Respectfully,



James R. Bliss
of PAUL HASTINGS LLP

cc: Counsel of record

IN THE SUPREME COURT OF THE STATE OF DELAWARE

RODOLFO ENRIQUE JIMÉNEZ,	§	
ASDRÚBAL CHAVEZ, IRIS	§	
MEDINA, MARCOS ROJAS, JOSÉ	§	No. 399, 2019
ALEJANDRO ROJAS, and	§	
FERNANDO DE QUINTAL,	§	Court Below – Court of Chancery
	§	of the State of Delaware
Plaintiffs/Counterclaim	§	
Defendants Below/	§	
Appellants,	§	C.A. No. 2019-0490
	§	
v.	§	
	§	
LUISA PALACIOS, EDGAR	§	
RINCÓN, FERNANDO VERA,	§	
ELIO TORTOLERO, ANDRÉS	§	
PADILLA, ÁNGEL OLMETA,	§	
JAVIER TROCONIS, LUIS	§	
URDANETA, and RICK ESSER,	§	
	§	
Defendants/Counterclaim	§	
Plaintiffs Below/	§	
Appellees.	§	

Submitted: July 8, 2020
Decided: July 22, 2020

Before **SEITZ**, Chief Justice; **VALIHURA** and **MONTGOMERY-REEVES**, Justices.

ORDER

This 22nd day of July 2020, after careful consideration of the parties' briefs and the record on appeal, and following oral argument, we find it evident that the

final judgment of the Court of Chancery should be affirmed on the basis of and for the reasons stated in its August 12, 2019 opinion.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Court of Chancery is AFFIRMED.

BY THE COURT:

/s/ Collins J. Seitz, Jr.
Chief Justice